- 85. (New) The method of claim 76, wherein the historical sequence data comprises the sequence of SEQ ID NO 49.
- 86. (New) The method of claim 78, wherein the first three nucleotides of the at least one sequence are GAT.
- 87. (New) The method of claim 78, wherein the region of variable number of tandem repeats is sufficient to determine the phylogenetic relatedness between the microorganism sample and the plurality of historical samples stored in the database.

REMARKS

Please cancel claims 1-50 without prejudice or disclaimer and add new claims 51-87. As no new matter has been added by the amendments herein, Applicants respectfully request entry of these amendments at this time. All claims are believed to be in condition for allowance. Applicants invite the Examiner to contact the undersigned attorneys to discuss any issues pertaining to the patentability of the pending claims.

No fees are believed to be due at this time. Should any fee be required, however, please charge such fee to Swidler Berlin Shereff Friedman, LLP Deposit Account No. 195127, Order No. 19124.0012.

By:

Respectfully submitted,

SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

Dated: October 13, 2003

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